

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No. 74058 of 2023

Arising Out of PS. Case No.-430 Year-2021 Thana- SHERGHATI District- Gaya

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Sanoj Paswan Son of Ramkisun Paswan @ Ramakishun Pasavan Resident of
Village - Kosama, P.s. - Dobhi, District- Gaya.

... .. Petitioner/s

Versus

The State of Bihar, Bihar.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Arvind Kumar Singh, Advocate
For the Opposite Party/s : Mr. Madhura Nand Jha, APP

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CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

3 08-12-2023 Heard the parties.

2. The petitioner is in custody in connection with Sherghatti (Dobhi) P.S. Case No. 430 of 2021 for the offence under sections 302 and 120(B)/34 of the Indian Penal Code lodged on 16.07.2021 by the informant, Rajendra Paswan.

3. As per the prosecution story, the marriage of the daughter of the informant was solemnized in 2010 with the petitioner herein but right from the beginning the deceased was subjected to torture inasmuch just ten days prior to the occurrence, she was beaten to the extent that the accused persons had broken her hand. On the fateful day, upon information, he went to the place of her in-laws and found her dead body.

4. Earlier the case of the petitioner was heard and



rejected on 10.08.2022 vide Cr. Misc. No. 25382 of 2022.

5. Again, a fresh application has been preferred whereafter a report was called for, which has since been received vide Letter no. 234 dated 23.11.2023 according to which charge has been framed and summons issued which followed the bailable warrant but no witness has been produced till the report was sent.

6. Taking into account the aforesaid fact as also the fact that he is in custody since 16.07.2021 and do not have criminal antecedent, this Court is inclined to extend him the privilege of bail with conditions.

7. Let the petitioner be released on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) each with two sureties of like amount each to the satisfaction of learned Addl. District and Sessions Judge, Sherghati, in connection with Sherghatti (Dobhi) P.S. Case No. 430 of 2021 subject to the following conditions:

(i) one of the bailor should be the family member of the petitioner who shall provide official document to show his/her bona fide;

(ii) the petitioner shall appear on each and every date before the Trial Court and failure to do so for two consecutive



dates without plausible reason will entail cancellation of his bail bond by the Trial Court itself;

(iii) the petitioner shall appear before the concerned police station every month till the conclusion of the trial to mark his attendance;

(iv) the petitioner shall in no way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for cancellation of the bail bonds;

(v) the petitioner shall desist from committing any criminal offence again, failing which the State shall be at liberty to take steps for cancellation of his bail bonds.

8. With the aforesaid observations, the bail application is allowed.

(Rajiv Roy, J)

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